

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
Plaintiff,) 8:19CR331
vs.)
MERRILL JOHNSTON,) ORDER
Defendant.)

This matter is before the court on the Unopposed Motion to Continue Trial [52]. Following a telephone conference with the parties on December 23, 2021, the court granted counsel additional time to negotiate a resolution short of a trial. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [52] is granted, as follows:

1. The jury trial now set for January 3, 2022 is continued to **February 7, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 7, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**

DATED: December 23, 2021.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**